

The legislation will allow temporary workers to change jobs without losing their visas, making it possible for them to escape and report exploitative employers without fear of deportation. They have not been able to do that. They will not until we pass this legislation.

This measure also offers more visas for victims of crime, including employer abuse. These protections will be good for honest workers, helping them stand up for their rights without fear of retribution. It will be good for honest employers, whose unscrupulous competitors have an unfair advantage.

This legislation also recognizes that undocumented workers play an important role in our economy and need an earned pathway from the shadows to citizenship. The path will not be easy; it was not intended to be. Undocumented people will have to go to the back of the line, pay penalties and fines, work, pay taxes, learn English, and stay out of trouble.

The alternative, to deport 11 million people, is impractical, inhumane, and just plain wrong for our economy. Helping millions of immigrants get right with the law will boost our national economy by more than \$800 billion over the next 10 years, and it will reduce the deficit by almost \$1 trillion over the next two decades—a pretty good deal.

Last night's strong bipartisan vote on the Corker-Hoeven border security compromise was a huge step forward for this legislation. Opponents of immigration reform can no longer hide behind false concerns about border security. That is an understatement. There can be any excuse to oppose immigration reform. If it is, it is transparently obvious that they are just trying to figure out a way to vote against this legislation.

I hope those who have stood in the way of this legislation will instead join us to do what is right for our economy and humane for immigrant families. It is time to crack down on crooked employers—that is what they are—who exploit and abuse undocumented immigrants. It is time to give hope to 11 million immigrants who want nothing more than to become citizens of a place they call home.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Republican leader is recognized.

#### NATIONAL ENERGY TAX

Mr. McCONNELL. Mr. President, in advance of the President's big speech today, I read this morning that one of the White House climate advisers finally admitted something most of us have suspected all along. He said, "A war on coal is exactly what is needed."

A war on coal is exactly what is needed. That is one of the President's advisers. It is an astonishing bit of

honesty from someone that close to the White House, but it really encapsulates the attitude this administration holds in regard to States such as mine where coal is such an important part of the economic well being of so many middle-class families. It captures the attitude it holds with regard to middle-class Americans all across the country, where affordable energy is critical to the operation of so many companies and small businesses, and to the ability of those businesses to hire Americans and help build a ladder to the middle class for their families.

Declaring a war on coal is tantamount to declaring a war on jobs. It is tantamount to kicking the ladder out from beneath the feet of many Americans struggling in today's economy. I will be raising this issue with the President at the White House later today.

One of the sectors the President's war on jobs would hit is manufacturing. Ironical, perhaps, because just a few months ago it was President Obama himself who said:

I believe in manufacturing. I think it makes our country stronger.

Well, of course, that is correct. Manufacturing does make our country stronger. Just look at Kentucky. We are the first in the Nation in aluminum smelting. We are third in production of auto parts. Kentuckians know these types of businesses strengthen not just the Bluegrass State but our entire Nation. They provide well-paying jobs, economic growth, and tickets to prosperity for workers and their families. Yet in the global economy of the 21st century, retaining, much less expanding, our manufacturing core has never been more challenging than it is now.

We face relentless competition from all corners of the globe, so policymakers have to be careful about the types of policies they enact. Obviously, American success in this hypercompetitive world is strengthened when we keep taxes low and regulations smart. Perhaps most important, it is strengthened when we ensure energy is abundant and affordable.

These are energy-intensive industries, after all. If the White House moves forward with this war on jobs and raises the cost of energy, that would almost assuredly raise the cost of doing business. That would likely put jobs, growth, and the future of American manufacturing at risk. That is one of the many reasons Americans rejected the President's attempt to impose a national energy tax in his first term.

Even with overwhelming majorities in Congress, including a filibuster-proof, 60-vote majority in the Senate, Washington Democrats were unable to pass the President's energy tax. In the Senate, the Democratic majority would not even bring it up for a vote. Think about that. They could have pushed it through on their own without a single Republican vote, and yet they could not.

Why? Well, for one, the constituents we serve are a lot smarter than some in Washington might like to believe. They know we cannot impose a national energy tax without cutting jobs and significantly raising energy costs not just on their families, but also on their employers.

The data seems to bear out such concerns. I remember some projections showing that by 2030, the Waxman-Markey proposal could have decreased the size of our economy by about \$350 billion and reduced net employment by 2.5 million jobs, even after taking job creation into account.

So Americans made their opposition to this tax abundantly clear to Members of Congress. In the 2010 midterm elections, they ousted a good number of those who voted for it in the House. Because of concerns about job losses, higher utility bills, and reduced competitiveness, Congress is even less inclined today to vote for an energy tax than when the President commanded such massive majorities in the first part of his first term.

It is fairly self-evident to say there is no majority for such an idea in the 113th Congress. The President shall also push ahead and ignore the will of the legislative branch, the branch closest to the American people. Whether they want it or not, he says he will do it by Presidential fiat.

I am sure we will find out more details in his speech today. If I am right, and I think I am, he is going to lay out a plan to do what he wants to do through executive action—in other words, more czars, more unaccountable bureaucrats.

The message this sends should worry anyone who cares about constitutional self-government, that the President can simply ignore the will of the representatives sent here by the people because he wants to, because special interests are lobbying him, and because he wants to appease some far-left segment of his base.

What I am saying is he cannot declare a war on jobs and simultaneously claim to care about manufacturing. He cannot claim to care about States such as mine where an energy tax would do great damage to countless Americans employed in energy sectors such as coal.

Wages are already failing to keep pace with rising costs for many people. Many families have seen their real median income actually decline in recent years. A survey released yesterday shows that three-quarters of Americans are living paycheck to paycheck. This is the reality of the Obama economy. Even in the best of times, imposing an energy tax would be a bad idea. In an era of unacceptably high unemployment, an era where Americans are finally desperate to focus on growing the middle class rather than throwing scraps to his wealthy supporters, ideas such as this border on absurdly self-defeating.

He may as well call his plan what it is, a plan to shift jobs overseas. Basically, it is unilateral economic surrender. To what end? Many experts agree a climate policy that does not include massive energy consumers such as China and India is essentially meaningless. The damage to our economy would be anything but meaningless. Ironically, those are the very types of countries that stand to benefit economically from our loss. Nations such as these will probably take our jobs, keep pumping more and more carbon into the air, and what will we have to show for it? That is a question the President needs to answer today.

Americans want commonsense policies to make energy cleaner and more affordable. The operative word is commonsense, because Americans are also deeply concerned about jobs and the economy. That is what the President should be focused on. Incredibly, it appears to be the farthest thing from his mind.

#### SENATE GROUND RULES

I have been mentioning on a daily basis the ongoing concern I have about the institution in which 100 of us serve, an institution that has served America well since the beginning of our country. The Constitution was framed back in 1887. George Washington presided over that Constitutional Convention. Legend has it he was asked, What do you think the Senate is going to be like? He reportedly replied it would be like the saucer under the teacup, and the tea that sloshed out of the teacup would go down into the saucer and cool off. In other words, the Founders of our great country believed the Senate would be a place where things slowed down, were thought over, and obviously where bipartisan agreements would be the way to move forward.

Over the period of our history, the idea of unlimited debate has had a lot of support in this body from both parties. In fact, during World War I, it was agreed there ought to be some way to stop a debate. Prior to that, there was no way, actually, to stop a debate. They agreed to create a device called cloture that would allow a supermajority of the Senate to bring debate to an end.

Over the years there have been flirtations by majorities of different parties to fundamentally change the Senate. Those temptations have been avoided. Those temptations arose again at the beginning of the previous Congress and at the beginning of this Congress under the current majority and the current majority leader. There was a lot of discussion about the way forward for the institution that would benefit the institution and not penalize either side. In January of 2011 the majority leader said the issue was settled for the next two Congresses, the previous Congress and this one.

In spite of that, we entered into a lengthy discussion at the beginning of this Congress on a bipartisan basis. As a result of that, the Senate passed two

rules changes and two standing orders. The majority leader once again gave his word that this issue was concluded.

Last January I asked the majority leader: "I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules of this Congress unless they went through the regular order process?"

The majority leader said: "That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee."

The regular order process takes 67 votes to change the rules of the Senate. We did that with the two rules changes earlier this year, thereby confirming, again, that is the way you change the rules of the Senate.

The majority leader, in spite of having given his word, not once but twice, continues to suggest that may not be a word that is going to be kept and has continued to flirt openly with employing what is called the nuclear option.

My party, when it was in the majority some time ago, 8 or 9 years ago, flirted with it as well, but good sense prevailed and we moved backward. We moved into a position where we are today, which is it takes 60 votes when you have a determined minority to get an outcome.

The threat has been related to nominations and nominations only, as if somehow breaking the rules of the Senate to change the rules of the Senate would be confined to nominations in the future. The way that would be done, of course, is the Parliamentarian would say it was a violation of Senate rules to change the rules of the Senate with 51 votes. The majority would simply appeal the ruling of the Chair and do it with 51 votes. If that is ever done, the Senate as an institution we have known is finished, and it would not be confined to nominations in the future.

Senator ALEXANDER and I laid out a few days ago the kind of agenda we would probably pursue, almost certainly pursue, were we in the majority. It was an agenda that would in many ways horrify the current majority, such things as completing Yucca Mountain, repealing ObamaCare, national right-to-work—I mean, things I believe probably every single Member of the majority party would find abhorrent. But that is the point.

The supermajority threshold is inconvenient to majorities from time to time. It requires them to engage in negotiation in order to go forward. It is frustrating from time to time. It is important to remember—every Senate majority should remember—the shoe will someday be on the other foot.

The institution has served our country well. We have had some big debates this year in which we have had amendments, discussions on a bipartisan basis, and bills moved forward. We saw it on the farm bill. We have seen it on other bills. We may well see it on the

bill that is on the floor of the Senate now.

The fundamental point before the Senate is we need to know if the majority leader intends to keep his word, because in the Senate your word is important. In fact, it is the currency of the realm here in the Senate.

I am going to continue to raise this issue because we need to resolve it. Senators need to know that words will be kept. The word on the ground rules of how we operate here in the Senate needs to be kept. We are not interested in a majority that says the definition of advise and consent is sit down and shut up, do things I want to do when I want to do it, or I will threaten to break the rules of the Senate to change the rules of the Senate. This is no small matter, and I will continue to address it until we get it resolved.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The assistant majority leader.

#### ENERGY

Mr. DURBIN. Mr. President, in deference to the Presiding Officer, I am going to forgo my speech on the Stanley Cup playoffs until another Member is presiding later in the day.

Instead, I wish to address the speech made by the Senate Republican leader on the issue of our environment.

Senator MCCONNELL of Kentucky tells us if we are going to discuss the state of our environment in America, it is a war on coal and a war on jobs.

I think he is wrong. I think the Republican approach to the environmental issues is a war on science. It is a denial of the overwhelming scientific evidence that the weather affecting us on this Earth is changing. We know it. Storms, extraordinary storms, are more frequent and more violent than they have been. We know the polar ice cap is melting. We know the glaciers are disappearing. We know the impact this will have on humanity as well as wildlife. Yet from the other side there is a complete denial of science. This is a war on science.

Their position is also a war on public health. Twenty-five million Americans suffer from asthma. Nearly one in five children with asthma went to an emergency department for care in 2009. To